

Heitkamp Provisions Included in the Economic Growth, Regulatory Relief, and Consumer Protection Act

Minimum Standards for Residential Mortgage Loans.

This section provides that certain mortgage loans that are originated and retained in portfolio by an insured depository institution or an insured credit union with less than \$10 billion in total consolidated assets will be deemed qualified mortgages under the Truth in Lending Act (TILA) while maintaining consumer protections.

Access to Affordable Mortgages.

This section provides a tailored exemption from appraisal requirements under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 for certain mortgage loans located in rural areas with a transaction value of less than \$400,000 if the originator is unable to find a State certified or State licensed appraiser under certain conditions.

Home Mortgage Disclosure Act Adjustment and Study.

This section provides regulatory relief to small depository institutions that have originated less than 500 closed-end mortgage loans or less than 500 open-end lines of credit in each of the two preceding calendar years by exempting them from certain disclosure requirements under the Home Mortgage Disclosure Act. An institution does not receive the exemption if it received a rating of “needs to improve” in each of its last two examinations or “substantial noncompliance” in its most recent examination under the Community Reinvestment Act. It also directs the Comptroller General to conduct a study examining the impact on the amount of data available.

Limited Exception for Reciprocal Deposits.

This section provides that certain reciprocal deposits will not be considered to be funds obtained, directly or indirectly, by or through a deposit broker under the Federal Deposit Insurance Act.

Option for Federal Savings Associations to Operate as Covered Savings Associations.

This section permits Federal savings associations with less than \$20 billion in total consolidated assets to elect to operate with the same powers and duties as national banks without being required to convert their charters.

Supporting America’s Innovators Act.

This section increases the limit on the number of individuals who can invest in certain venture capital funds before those funds must register as “investment companies” with the SEC. Currently, the Investment Company Act limits the number of investors in the fund to 100 for the fund to be exempt from SEC registration. This would amend this cap to allow 250 investors in a “qualified venture capital fund” to be exempt from SEC registration.